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9 **Attorneys for Plaintiff**
10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 **J & J SPORTS PRODUCTIONS, INC.,**

15 **Plaintiff,**

16 **v.**

17 **ANTONIO SANCHEZ ORTEGA, et al.**

18 **Defendant.**

19 **CASE NO. 3:14-cv-03949-WHO**

20 **PLAINTIFF'S *EX PARTE***
21 **APPLICATION FOR AN ORDER**
22 **EXTENDING TIME TO COMPLETE**
23 **SERVICE; AND ORDER**

24 **TO THE HONORABLE WILLIAM H. ORRICK, THE PARTIES AND THEIR**
25 **ATTORNEY/S OF RECORD:**

26 As of this date, Plaintiff has been unable to successfully serve its initiating suit papers upon
27 Defendant Antonio Sanchez Ortega a/k/a Antonio Ortega, individually and d/b/a Plaza Garibaldi.

28 **WHEREFORE**, Plaintiff makes the following representations and recommendations:

1. On September 2, 2014, Plaintiff's Complaint was filed against Defendant Antonio Sanchez Ortega a/k/a Antonio Ortega, individually and d/b/a Plaza Garibaldi.

2. Plaintiff has *still* not perfected service of the initiating suit papers upon the Defendant Antonio Sanchez Ortega a/k/a Antonio Ortega, individually and d/b/a Plaza Garibaldi, despite efforts to do so. Please see attached hereto and made part hereof Plaintiff's Exhibit 1.

1 4. As of this writing, Plaintiff's counsel is attempting to skiptrace the Defendant
2 Antonio Sanchez Ortega a/k/a Antonio Ortega, to locate his whereabouts. In the event that we
3 cannot locate the Defendant, Plaintiff's counsel will seek no further extensions in this action and will
4 either dismiss the defendant outright or seek to effect service by publication within the additional
5 days granted by way of this Application from this Honorable Court.

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7 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court permit Plaintiff an
8 additional Forty-Five (45) days from today's date to effectuate service of the Summons and
9 Complaint filed in this matter, or to file a motion for service by publication, or in the alternative, a
10 Notice of Voluntary Dismissal as to the named defendant.

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13 Respectfully submitted,

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16 Dated: December 31, 2014

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc.

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ORDER

Plaintiff is granted an additional Forty-Five (45) days from today's date to effectuate service of the Summons and Complaint filed in this matter, or to file a motion for service by publication, or in the alternative, a Notice of Voluntary Dismissal as to defendant Antonio Sanchez Ortega a/k/a Antonio Ortega, individually and d/b/a Plaza Garibaldi, where service has not been made or service by publication requested.

Plaintiff shall serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court. The Case Management Conference scheduled for January 20, 2015 shall be continued to April 21, 2015, at 2:00 pm.

IT IS SO ORDERED:



Dated: January 5, 2015

THE HONORABLE WILLIAM H. ORRICK
United States District Court
Northern District of California

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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On December 31, 2014, I served:

PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE; AND ORDER (Proposed)

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Antonio Sanchez Ortega
a/k/a Antonio Ortega (Defendant)
250 23rd Street
Richmond, CA 94804

The fully sealed envelope with pre-paid postage was thereafter placed in our law firm's outbound mail receptacle in order that this particular piece of mail could be taken to the United States Post Office in South Pasadena, California later this day by myself (or by another administrative assistant duly employed by our law firm).

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on January 5, 2015, at South Pasadena, California.

Dated: January 5, 2015

/s/ Stefanie Martinez
STEFANIE MARINEZ